

FILED

FEB 10 1994

PUBLIC UTILITIES COMMISSION
STATE OF CALIFORNIA

U-3017-C

BAKERSFIELD CELLULAR TELEPHONE COMPANY
4180 TRUXTUN AVENUE
BAKERSFIELD, CALIFORNIA 93309

ADVICE LETTER NO. 71

February 10, 1994

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA

Bakersfield Cellular Telephone Company ("Utility") hereby submits the original and five copies of the following tariff sheets relating to its cellular radiotelephone service:

<u>New CPUC Sheet No.</u>	<u>Cancelling CPUC Sheet No.</u>
3-T 44th Revised Sheet No. 1	3-T 43d Revised Sheet No. 1
3-T 4th Revised Sheet No. 5.3	3-T 3rd Revised Sheet No. 5.3
4-T 37th Revised Sheet No. 1	4-T 36th Revised Sheet No. 1
4-T 5th Revised Sheet No. 4.5	4-T 4th Revised Sheet No. 4.5

This Advice Letter is filed to modify the eligibility under Utility's Multiple Unit Plan at both wholesale and retail. Utility requests that the tariff changes submitted herewith be made effective in thirty days pursuant to G.O. 96-A. Copies of this Advice Letter and related tariff sheets are being mailed to all competing and adjacent utilities and to other interested parties having requested such information (a service list is attached to the original of this Advice Letter).

Anyone may protest this Advice Letter to the California Public Utilities Commission ("Commission"). The protest must set forth the specific grounds on which it is based, including such items as financial and service impact. A protest must be made in writing and received within 20 days of the date this Advice Letter was filed with

EXHIBIT 6

the Commission. The address for mailing and delivering a protest to the Commission is:

Chief, CACD Telecommunications Branch
California Public Utilities Commission
505 Van Ness Avenue, Room 3203
San Francisco, California 94102

A copy must be mailed to the undersigned Utility on the same date it is mailed or deliver to the Commission.

After filing these tariff sheets, please provide this office with a file-stamped copy of this Advice Letter (an extra copy has been enclosed), with accompanying tariff sheets, in the enclosed self-addressed stamped envelope.

Respectfully submitted,

BAKERSFIELD CELLULAR TELEPHONE COMPANY

By


David A. Simpson

YOUNG, VOGL, HARLICK & WILSON
425 California Street, Suite 2500
San Francisco, CA 94104
Telephone: (415) 291-1970

Its Attorneys

CELLULAR RADIO TELECOMMUNICATIONS SERVICE (RETAIL)

LIST OF EFFECTIVE SHEETS

<u>Sheet</u>	<u>Number of Revision</u>	
Title	Original	
1	44th Revised	(T)
2	10th Revised	
3	3rd Revised	
4	2nd Revised	
5	4th Revised	
5.1	2nd Revised	
5.2	2nd Revised	
5.2.1	Original	
5.3	4th Revised	(T)
5.3.1	1st Revised	
5.4	5th Revised	
5.5	3rd Revised	
5.6	3rd Revised	
5.7	Original	
5.6.1	Original	
6	1st Revised	
7	4th Revised	
8	8th Revised	
9	6th Revised	
10	4th Revised	
11	2nd Revised	
12	Original	
13	1st Revised	
14	7th Revised	
15	2nd Revised	
16	Original	
17	Original	
18	5th Revised	

Advice Letter No. <u>71</u>	Issued by <u>Brian Ducharme</u>	Date Filed <u> </u>
Decision No. <u> </u>	NAME <u> </u>	Effective <u> </u>
	General Manager <u> </u>	Resolution No. <u> </u>
	TITLE <u> </u>	

CELLULAR RADIO TELECOMMUNICATIONS SERVICE

(Continued)

RATES - RETAIL (Continued)

C. Special Plans (Continued)

3. MegaSaver Plan (cont'd)

Monthly Allowance

This plan includes three hundred and eighty (380) minutes (Peak or Off Peak) of Local Airtime. There is no credit for unused minutes, nor will such unused minutes carry forward to the next month's allowance. New customers subscribing between January 1, 1994 and January 31, 1994 will receive seven hundred and sixty (760) minutes (Peak and Off Peak) of Local Airtime for each of the first three months of their contract period.

Usage Above Monthly Allowance

Usage above the Monthly Allowance will be charged at the following per minute rates:

Peak	\$.29
Off Peak	\$.16

4. Multiple Line Plan

Eligibility

The Multiple Line Plan is available to a subscriber or group of subscribers ("Subscriber") where a single subscriber commits to maintaining a minimum of four (4) active numbers for the one-year minimum. All end users, who must demonstrate an affiliation with Subscriber, shall also commit to a minimum of one year's service. New customers subscribing between January 1, 1994 and January 31, 1994 will receive sixty (60) minutes (Peak or Off Peak) of Local Airtime for each of the first three months of their contract period. (T)

Monthly Access* (Ceiling Rate)

Rate Band Price 1/13/94

4 - 10 numbers, per number	\$25.00
11 - 20 numbers, per number	\$22.95
21 or more numbers, per number	\$19.95

75 or more numbers per number	\$18.95
----------------------------------	---------

*To determine the appropriate monthly access tier, customers may include phones activated under any plan except Utility's Government, Safety or Call-Box Plans.

Issued by

Advice Letter No. 71

Date Filed _____

Decision No. _____

Brian Ducharme

NAME

Effective _____

General Manager

TITLE

Resolution No. _____

CELLULAR RADIO TELECOMMUNICATIONS SERVICE (WHOLESALE)

LIST OF EFFECTIVE SHEETS

<u>Sheet</u>	<u>Number of Revision</u>	
Title	1st Revised	
1	37th Revised	(T)
2	4th Revised	
3	3rd Revised	
4	1st Revised	
4.1	2nd Revised	
4.2	3rd Revised	
4.2.1	Original	
4.3	7th Revised	
4.3.1	Original	
4.4	4th Revised	
4.4.1	1st Revised	
4.5	5th Revised	(T)
4.5.1	Original	
4.6	Original	
5	Original	
6	Original	
7	1st Revised	
8	6th Revised	
9	5th Revised	
10	3rd Revised	
11	Original	
12	4th Revised	
13	2nd Revised	

Advice Letter No. <u>71</u>	Issued by <u>Brian Ducharme</u>	Date Filed <u> </u>
Decision No. <u> </u>	NAME <u>General Manager</u>	Effective <u> </u>
	TITLE <u> </u>	Resolution No. <u> </u>

CELLULAR RADIO TELECOMMUNICATIONS SERVICE

(Continued)

RATES - WHOLESALE (Continued)

C. Special Plans (Continued)

5. Value Plans (continued)

provided that the new unit is billed to the same end user and otherwise remains subject to the above-described commitment. Nor will there be such a fee when the reseller elects to increase or decrease its airtime commitment during the minimum service period to a level that is not less than forty-five minutes per month. However, where a reseller has changed its service commitment level in the middle of a commitment period, and afterwards terminates service prematurely, the early termination fee will be that which applies to the higher of the commitment levels elected by the reseller for the unit in question.

The minimum commitment period will be automatically renewed for successive additional periods of twelve months each unless the reseller has notified Utility, or Utility has notified reseller, of its desire to terminate enrollment, said notification to be no earlier than sixty days, nor less than thirty days prior to the expiration of the then current period.

VALUE PLAN PLUS RATE BAND

New end users put in service on the Value Plan Plus between January 1, 1994 and January 31, 1994 will receive two hundred (200) minutes (Peak or Off Peak) of Local Airtime for each of the first three months of their contract period.

6. Multiple Line Plan

Eligibility

The Multiple Line Plan is available to a reseller provided that the reseller can offer reasonable verification demonstrating that a single subscriber ("Subscriber") commits to maintaining (T) a minimum of four (4) active numbers for the one-year minimum. Resellers must demonstrate that all end users are affiliated with Subscriber and have committed to a minimum of one year's service. Failure to provide such verification or in the (T) event such verification is inaccurate will terminate a reseller's eligibility for this rate. New end-users put in service between January 1, 1994 and January 31, 1994 will receive sixty (60) minutes (Peak or Off Peak) of Local Airtime for each of the first three months of their contract period.

K:\D1\18303\TA0071.DAS

Issued by

Advice Letter No. 71

Date Filed _____

Brian Ducharme

Decision No. _____

NAME

Effective _____

General Manager

TITLE

Resolution No. _____

SACRAMENTO CELLULAR TEL. CO.
1750 HOWE AVE., SUITE 102
SACRAMENTO, CA 95825
ATTN: PHILIP GASKE

KAREN ACKERMAN, ESQ.
BECK, YOUNG, FRENCH & ACKERMAN
STUART STREET TOWER
ONE MARKET PLAZA, SUITE 1900
SAN FRANCISCO, CA 94105

BAY AREA CELLULAR TELEPHONE CO.
651 GATEWAY BLVD., SUITE 1500
SO. SAN FRANCISCO, CA 94080
ATTN: ADAM ANDERSEN

CALIFORNIA CELLULAR COMMUNICATIONS
18220 SOUTH BROADWAY
GARDENA, CA 90248
ATTN: VIDA MOHR

CALL AMERICA, INC.
2646 DUPONT DR., SUITE 270
IRVINE, CA 92715-1689
ATTN: STEPHAN ABRAHAM

CELLULAND
8252 CLAIREMONT MESA BLVD. #B
SAN DIEGO, CA 92111-1702

CELLULAR SERVICE, INC.
6100 SAN FERNANDO ROAD
GLENDALE, CA 91201
ATTN: DAVID NELSON

CELLULAR TARIFF MANAGER
CA RSA NO. 3 LTD. PARTNERSHIP
c/o SIERRA CELLULAR
P. O. BOX 2607
OAKHURST, CA 93644

GOLDEN WEST CELLULAR TELECOM
1300 EAST KATELLA AVENUE
ANAHEIM, CA 92805
ATTN: BILL VALENTINE

COMTECH MOBILE TELEPHONE CO.
3928 POINT EDEN WAY
HAYWARD, CA 94545
ATTN: STEVE MUIR

CONTEL CELLULAR
CALIFORNIA RSA NO. 3, RSA NO. 4
FRESNO MSA LTD. PARTNERSHIP
245 PERIMETER CNTR PKWY., 10th FL.
ATLANTA, GA 30346
ATTN: LAURA BINION

RACHELLE B. CHONG, ESQ.
MARTIN A. MATTES
GRAHAM & JAMES
ONE MARITIME PLAZA, STE. 300
SAN FRANCISCO, CA 94111

NATIONWIDE CELLULAR SERV.
10549 JEFFERSON BLVD.
CULVER CITY, CA 90232
ATTN: LYNN GOFFINEY

SACRAMENTO-VALLEY L.P.
2150 RIVER PLAZA DRIVE, STE. 400
SACRAMENTO, CA 95833
ATTN: GARY SCHINDLER

BAKERSFIELD CELLULAR TELEPHONE CO.
4180 TRUXTON AVENUE
BAKERSFIELD, CA 93309
ATTN: B. DUCHARME, GEN. MANAGER

LOS ANGELES CELLULAR TELEPHONE CO.
P.O. BOX 6028
CERRITOS, CA 90702-6028
ATTN: MICHAEL S. McNELLY

LOS ANGELES SMSA LTD.
P.O. BOX 19707
IRVINE, CA 92714
ATTN: RANDY LAUB

SUZANNE TOLLER, ESQ.
MORRISON & POERSTER
345 CALIFORNIA ST., 33RD FLR.
SAN FRANCISCO, CA 94104-2105

LOS ANGELES SMSA L.P.
2999 OAK ROAD, MS 1050
WALNUT CREEK, CA 94596
ATTN: RICHARD C. NELSON

CREATIVE LINKS CONSULTING
4944 CORTE PLAYA DE CASTILLA
SAN DIEGO, CA 92124
ATTN: BONNIE SPEAKE ALEXANDER

MOBILECOMM OF CALIFORNIA, INC.
1800 E. COUNTY LINE ROAD
RIDGELAND, MS 39157
ATTN: LEGAL DEPARTMENT

ARMOUR, GOODIN, ET AL.
505 SANSOME ST., SUITE 900
SAN FRANCISCO, CA 94111
ATTN: JAMES SQUERI, ESQ.

MARK SCHREIBER, ESQ.
COOPER, WHITE & COOPER
201 CALIFORNIA ST., 15TH FLR.
SAN FRANCISCO, CA 94111

U S WEST CELLULAR OF CALIFORNIA
3350 161ST AVE., S.E.
BELLEVUE, WA 98008-1329
ATTN: JENNIFER POMEROY

EARL NICHOLAS SELBY, ESQ.
420 FLORENCE ST., STE. 200
PALO ALTO, CA 94301
ATTN: LYNN DUERR

PACTEL CELLULAR
PACTEL MOBILE ACCESS
PACTEL MOBILE SERVICES
2999 OAK ROAD, MS 800
WALNUT CREEK, CA 94596
ATTN: MICHAEL MOWREY, ESQ.

GERARD G. ADAMS, ESQ.
1122 EAST GREEN STREET
PASADENA, CA 91106

HAROLD SAVING
NATIONWIDE CELLULAR SERVICES
2700 YORK ROAD, STE. 119
CHICAGO, IL 60621

PETER CASCIATO, ESQ.
1500 SANSOME ST., #201
SAN FRANCISCO, CA 94111

CELLULAR ONE
1128 EAST MARCH LANE
STOCKTON, CA 95210

ROCK BOTTOM CELLULAR
3401 PACIFIC AVENUE, SUITE B
MARINA DEL REY, CA 90292

MCCAW CELLULAR, INC.
1750 HOWE AVE., STE. 300
SACRAMENTO, CA 95825
ATTN: STEVEN P. GOLDMAN

COLUMBIA CELLULAR, INC.
C/O GERRARD G. ADAMS, ESQ.
1122 EAST GREEN STREET
PASADENA, CA 91106

1 STORY AFFAIRS OFFICE
MISSION TELECOMMUNICATIONS CORP.
BOX 7213
CHARLOTTESVILLE, VA 22906

SALINAS CELLULAR TELEPHONE CO.
851 DEL MONTE AVENUE
MONTEREY, CA 93940

THE PHONE COMPANY FRANCHISING CORP.
1669 OLD BAYSHORE HIGHWAY
BURLINGAME, CA 94010
ATTN: RON ROSBERG

CELLULAR ONE
104 COMMERCE COURT, SUITE D
CORDELLA, CA 94585
ATTN: CORAZON CALVIN

WAYNE B. COOPER, ESQ.
FARRAND, COOPER & BRUNIER
POST OFFICE BOX 7329
SAN FRANCISCO, CA 94120

SANTA CRUZ CELLULAR TELE. CO.
3949 RESEARCH PARK CT., STE. 100
SOQUEL, CA 95073
ATTN: AL RODRIGUES

OFFICE ADMINISTRATOR
SANTA BARBARA CELLULAR
800 NORTH MILPAS STREET
SANTA BARBARA, CA 93103

REDWOOD CELLULAR COMMUNICATIONS
1184 YULUPA AVENUE
SANTA ROSA, CA 95405

MOBILPHONE CORPORATION
317 W. 7TH STREET
EUREKA, CA 95501
ATTN: BEN HOOVER

PRIME CELLULAR
P.O. BOX 277
AGOURA HILLS, CA 91301
ATTN: KEVIN HAMILTON

ROBERT J. GLOISTEIN, ESQ.
ORRICK, HERRINGTON & SUTCLIFFE
400 SANSOME STREET
SAN FRANCISCO, CA 94111

MATRIX CELLULAR RESOURCES
3628 FOOTHILL BLVD.
GLENDALE, CA 91214

ULTRATELECOM, INC.
1000 WASHINGTON BLVD.
CITY, CA 90232-3610
A JORGE L. SERRON

DIGITAL COMM. NETWORK
3396 WILLOW LANE SUITE 200
WESTLAKE VILLAGE CA 91361
ATTN: MARGRIT DORGELO

FRESNO CELLULAR TEL. CO.
5260 NO. PALM AVENUE, #120
FRESNO, CA 93710

GTE MOBILNET INC.
4410 ROSEWOOD DR., 2ND FLR.
PLEASANTON, CA 94588
ATTN: SCHELLY K. JENSEN

CELLUPHONE
6681 E. 26TH STREET
LOS ANGELES, CA 90040
ATTN: MITCHELL MOHR

MOTOROLA CELLULAR SERVICE, INC.
600 NORTH U.S. HIGHWAY 45
ROOM A-8245
LIBERTYVILLE, IL 60048-1286
ATTN: CARI M. ANDERSON

MY STORE, INC.
1971 NORTH TUSTIN
ORANGE, CA 92665

ALL PACIFIC CELLULAR, INC.
P. O. BOX 58038
SHERMAN OAKS, CA 91413
ATTN: DALIA GOEL

MR. KEVIN GAVIN
NEXTEL
3675 MT. DIABLO BLVD., STE. 330
LAFAYETTE, CA 94549

NATIONWIDE CELLULAR SERV.
20 EAST SUNRISE HIGHWAY
VALLEY STREAM, NY 11581-1252

WILLIAM G. IRVING, ESQ.
COUNTY OF LOS ANGELES
14585 CHIMNEY ROCK ROAD
PASO ROBLES, CA 93446

CAL-ONE CELLULAR
P.O. BOX 627
FORT JONES, CA 96032-0627
ATTN: JAMES HENDRICKS

JAMAL FAKORY
CELLULAR PACIFIC
4052 MOTHERLIDE DRIVE
LE SPRINGS, CA 95682

CALIFORNIA REAL ESTATE CELLULAR SERVICE
CORPORATION
1451 FRUITDALE AVENUE
SAN JOSE, CA 95161-0790

CONTEL CELLULAR OF
CALIFORNIA, INC.
770 E. SHAW AVE., #131
FRESNO, CA 93710
ATTN: PAUL KLUNG

MORLEY MENDELSON, ESQ.
700 S. FLOWER STREET
SUITE 500
LOS ANGELES, CA 90017

GENERAL MANAGER
CELLULAR ONE
751 DAILY DR., SUITE 116
CAMARILLO, CA 93010

UNITED STATES CELLULAR
533-B SOUTH STATE STREET
UKIAH, CA 95482
ATTN: SAM WHITEHEAD

DELTA TELFACOM MOBILE
SERVICE, INC.
8050 EAST FLORENCE,
STE. 11
DOWNEY, CALIFORNIA 90240
ATTN: MARK KAHLEN

UNITED STATES CELLULAR
533-B SOUTH STATE STREET
UKIAH, CA 95482
ATTN: SAM WHITEHEAD

JOSHUA L. ROSEN
MITCHELL, SILBERBERG & KNUPP
11377 WEST OLYMPIC BLVD.
LOS ANGELES, CA 90064

ABS TELEPHONE COMPANY, INC.
5700 MOON DRIVE
VENTURA, CA 93003

BOB SCARPITTO
CELLULAR ONE/CA-4
3250 G ST., SUITE A
MERCED, CA 95340

1271\9109\cellular.fbi



/ Exhibit H

CONTEL CELLULAR
(510)416-0150

4410 Rosewood Drive
Pleasanton, CA 94588

March 02, 1994

HAND DELIVERED

Mr. Jack Leutza
Commission Advisory and
Compliance Division
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102

**RE: Advice Letter No. 71 of Bakersfield Cellular Telephone
Company**

Dear Mr. Leutza:

Fresno MSA Limited Partnership ("Contel") hereby protests the above advice letter, dated February 10, 1994, filed by Bakersfield Cellular Telephone Company ("BCTC") because the advice letter does not comply with the Commission's established rules for multiple line discount plans. Advice Letter No. 71 makes changes in the eligibility requirements of BCTC's Multiple Line Plan. The language in Advice Letter No. 71 allows an end user to receive the discount by merely demonstrating an "affiliation with the subscriber". Advice Letter No. 71 also eliminates the previous language requiring the subscriber to "guarantee payment in full." As proposed, this plan would allow virtually anyone to sign up for BCTC's Multiple Line Plan and be individually responsible for the bill payment. For example, family members have an "affiliation", neighbors could demonstrate an "affiliation", members of a bowling team have an "affiliation". Contel believes, based in part on its recent experience with Advice Letter 125 and 125-A, that the CPUC never intended such loosely structured eligibility for multiple line discount plans.

EXHIBIT H

Mr. Jack Leutza
March 02, 1994


In November 1993, Contel was required by the CPUC to include the following definition in its Association Rate Plan as a condition of plan approval.

"The subscriber must belong to or be affiliated with an association or business and may be required to show proof of said affiliation. An association is defined as an organization consisting of a minimum of fifty members."

BCTC's advice letter contains no such definition of "affiliation". However, as described in Advice Letter No. 71, the Multiple Line Plan is in effect a competitive response to Contel's Association Plan and as such BCTC should be required to abide by the same rules imposed on Contel's Association Plan. The rules BCTC should be required to abide by are that the end user is actually an "affiliate" of an association or business (actual membership) with a minimum of fifty members.

For the above reasons, BCTC's Advice Letter No. 71 should be rejected and BCTC should be required to cease and desist from offering the Multiple Line Plan as described in Advice Letter No. 71.

Sincerely,

A handwritten signature in cursive script, appearing to read "Maribel Gonzalez", written in dark ink.

Maribel Gonzalez
Regulatory Administrator

MG:ajb

CC: David Simpson
Doug Dade
Dan Kelsey



YOUNG, VOGL, HARLICK & WILSON

ATTORNEYS AT LAW

425 CALIFORNIA STREET, SUITE 2500
SAN FRANCISCO, CALIFORNIA 94104

FAX (415) 291-1984
(415) 291-1970

March 14, 1994

18303-1

VIA HAND DELIVERY

Jack Leutza
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102

Re: Bakersfield Cellular Telephone Company (U-3017-C):
Advice Letter No. 71

Dear Jack:

Bakersfield Cellular Telephone Company ("Bakersfield") hereby responds to the protest of Fresno's MSA Limited Partnership ("Contel") to the above-referenced Advice Letter.

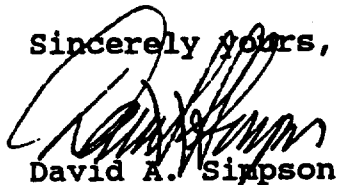
Contel's Protest is an example of an utility seeking to use the regulatory process to gain a market advantage. As set forth below, the Protest's premise is demonstrably false and its intent is anti-competitive. Accordingly, the Protest should be rejected without further consideration.

The Protest states that Bakersfield's Advice Letter does not comply with the "Commissions [sic] established rules for multiple lines for discount plans". The Protest offers no citation of reference to any such Commission Rules or policies to support this contention. In fact, Bakersfield's proposed discount does not run afoul of any Commission rules or regulations. What Contel really wants is for the Commission mandate that Bakersfield adopt the precise same membership requirements and definition that Contel uses for its Association rate plan. This proposal is not only silly, it is anti-competitive. If Bakersfield, for its own reasons, wishes to make it easier for subscribers to take advantage of multiple unit discounts, neither Contel nor the Commission should be concerned. If anything, the Commission should enthusiastically support Bakersfield's efforts to lower the cost of cellular service to California ratepayers.

Jack Leutza
March 14, 1994
Page 2

In light of the above, it is respectfully requested that
Contel's protest be denied.

Sincerely yours,

A handwritten signature in black ink, appearing to read "David A. Simpson", is written over the typed name.

David A. Simpson

DAS:rpn

cc: Maribel Gonzalez (via fax)
Doug Dade (via fax)
Brian Ducharme (via fax)

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298

May 3, 1994

Marybell Gonnzalez
Contel Cellular
4410 Rosewood Drive
PLEASANTON CA 94588RE: Bakersfield Cellular Telephone Company (U-3017-C)
Advice Letter No. 71

Dear Marybell:

The Telecommunications Branch (Telco Branch) of Commission Advisory and Compliance Division has reviewed the protest Contel Cellular (Contel) filed against Bakersfield Cellular Company's (Bakersfield) Advice Letter No. 71 (A.L. 71) and Bakersfield's response to the protest. Based on our review, the protest is denied and A.L. 71 is effective conditioned on Bakersfield's filing of a supplemental advice letter revising the eligibility requirement for "Multiple Line Plan" in A.L. 71 by including the requirement that a single subscriber among the group "guarantee payment in full".

Contel's protest presumes Bakersfield's "Multiple Line Plan" is a bulk user discount plan which at present is subject to a number of Commission policies that, among other, requires the organization or entity must serve as a master customer and the master customer guarantee payment for all units. Such a policy does apply to A.L. 71 because the Multiple Line Plan offers a discount to members of the group that is not available for the general public. Accordingly, demonstrable association with the group as your tariff requires and a guarantee on payment of all bills by a member of the group are necessary conditions to ensure that the discount plan is not discriminatory to the general public.

Bakersfield should file a supplemental advice letter that will include the underlined language A.L. 71 deletes as shown below:

"The Multiple Line Plan is available to a subscriber or group of subscribers ("Subscriber") where a single subscriber commits to maintaining a minimum of four (4) active numbers for the one-year minimum and guarantee payment in full."
(Underlined language to be re-inserted.)

The supplemental advice letter will be effective on the date filed.

EXHIBIT J

For more information on bulk use tariffs of cellular services please refer to decisions 90-06-025 (pp. 33, 88), 90-10-047(pp. 6-7), 84-11-029 (p. 58a and Appendix A at p.6), 84-04-14 (p. 32) and 89-05-024 for related discussions of issues related to bulk user.

If you have questions please call Fassil Fenikile at (415) 703-3056.

Sincerely,

A handwritten signature in cursive script, appearing to read "J Douglas Dade for".

Jack Leutza, Chief
Telecommunication Branch
Commission Advisory and
Compliance Division

cc: David Simpson ✓

CELLULAR RADIO TELECOMMUNICATIONS SERVICE (RETAIL)

(2) Rate Plans (continued)

2.14 Association Rate Plan

A. Monthly Access Charge

4-9 lines, per line	\$37.95
10-24 lines, per line	\$34.95
25-49 lines, per line	\$31.95
50+ lines, per line	\$28.95

B. Airtime Rates

1. **Monthly Packaged Minutes** This plan includes local airtime minutes at no charge which are applied as they are used within the local calling area as defined in 2. below. There will be no credit for unused minutes. Packaged minutes for individual access lines cannot be combined.
Monthly Packaged Minutes (Peak or Off-Peak), per line 30 min.

2. **Local Airtime Usage** Local airtime charges apply to usage in excess of the monthly packaged minutes. These local airtime charges apply to any call to an exchange located within the local calling area as defined below.

	<u>Ceiling Rates</u>
Peak minutes	\$0.35
Off-Peak minutes	\$0.19

	<u>New Rates</u> <u>(effective January 25, 1994)</u>	
Peak minutes	\$0.35	
Weekend Off-Peak minutes	\$0.00	(N)(R)
Off-Peak minutes	\$0.19	(T)

Packaged minutes and local airtime usage rates apply to any call originating and terminating within the combined Fresno, Visalia, Kings County, Bakersfield, California RSA No. 4 and California RSA No. 6 calling area.

C. Contractual Requirements

The subscriber must commit to twelve (12) consecutive months on the Company's service by signing a one-year contract. Contracts will renew automatically for successive twelve (12) month terms. The subscriber can cancel their service to be effective at the end of the existing contract term by giving at least thirty (30) days advance notification. If the subscriber does not give proper notification or requests that their service be canceled prior to the end of the current twelve (12) month term, the Company will recalculate the subscriber's monthly access and airtime usage charges for the term of the contract up to the date of cancellation using the Basic Rate Plan rates and will then charge the subscriber the difference between this calculated amount and the actual monthly access and airtime usage charges incurred.

D. Other Terms and Conditions

The subscriber must belong to or be affiliated with a qualifying association or business and may be required to provide proof of said affiliation. An association is defined as an organization consisting of a minimum of 50 members.

Advice Letter No. 148

Issued by
Todd Eliason

Date Filed _____

Decision No. _____

Vice Pres./Gen. Mgr.- National Region
Gen. Partner of Fresno MSA Limited Partnership

Effective _____

Resolution No. _____

YOUNG, VOGL, HARLICK & WILSON

ATTORNEYS AT LAW

425 CALIFORNIA STREET, SUITE 2500
SAN FRANCISCO, CALIFORNIA 94104

FAX (415) 291-1984
(415) 291-1970

May 26, 1994

18303-1

VIA FACSIMILE

Douglas Dade
Commission Advisory and Compliance Division
Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102

RE: Bakersfield Cellular Telephone Company (U-3017-C)
Advice Letter No. 71

Dear Doug:

This is in response to your letter of May 3, 1994 regarding the above-referenced Advice Letter ("Letter").¹ The Letter presumes, mistakenly, that Advice Letter No. 71 was intended to involve a "master customer". I have had numerous conversations with Mr. Fassil Fenikile in this regard, but apparently I have not done an adequate job of explaining this particular promotion. Let me try again here.

Bakersfield Cellular Telephone Company wants no more and no less than that which was granted to its competitor (and the protestant in this matter) pursuant to its Advice Letter No. 125. (See Advice Letter No. 125 of Fresno MSA Limited Partnership filed on September 23, 1993 and the supplement thereto filed on November 8, 1993.) Bakersfield's "Multiple Line Plan", as revised by Advice Letter No. 71, is the functional equivalent of Fresno's "Association Rate Plan". Like Fresno's plan, Bakersfield's plan does not involve a Master Customer which guarantees payment for all units. Bakersfield is at a loss to understand why Fresno continues to insist that Bakersfield should be prohibited from offering the same deal to its customers that Fresno provides to its own end users. Bakersfield respectfully suggest that Fresno is improperly using the regulatory process for competitive purposes.

In light of the above, I would appreciate your reviewing this matter and advising Bakersfield what steps, if any, it needs to

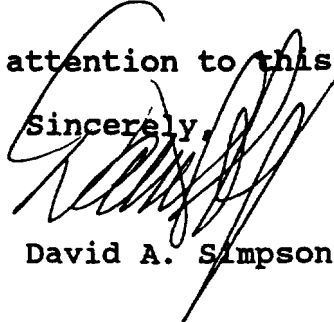
¹ I apologize for the tardiness; I have been in hearings and out-of-town for most of this period.

Douglas Dade
May 26, 1994
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take to obtain the approval of Advice Letter No. 71, an Advice Letter which seeks only to put Bakersfield on par with its competitor.

Thank you very much for your attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'David A. Simpson', is written over the word 'Sincerely,'.

David A. Simpson

DAS:mss
cc: Maribel Gonzalez
✓ Fassil Fenikile (via facsimile)
Brian Ducharme